



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Civil Appellate Jurisdiction

Wednesday, the Seventeenth day of March Two Thousand and Twenty One

PRESENT

The Hon'ble Mrs.Justice J.NISHA BANU

CMP(MD) . No.1444 of 2021
in CRP(MD)No.147 of 2020

1 Gopalakrishnan

2 G.Viswanathan

... Petitioners/Petitioners

Vs

Prabakar

... Respondent/Respondent

Prayer CMP(MD). No.1444 of 2021 :

Civil Miscellaneous Petition filed under Order 9, Rule 9 of Civil Procedure Code to restore the C.R.P(PD)(MD).No.147 of 2020, which was dismissed for non-prosecution on 06-03-2020 and take the above Civil Revision Petition on its file.

Prayer in CRP(MD).No.147 of 2020 :

Civil Revision Petition filed under Article 227 of the Constitution of India to call for the records of the learned Subordinate Judge, Sivakasi made in I.A.No.587 of 2017 in O.S.No.62 of 2015 and set aside the Fair and Decretal Order dated 20.09.2018.

ORDER:- This Civil Miscellaneous Petition coming on for orders on this day and upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of Mr.M.Siddharthan, Advocate for the Petitioner, this Court made the following order:

Heard.

This petition has been filed by the petitioners seeking to set aside the dismissal order dated 06.03.2020 and restore C.R.P(MD) No.147 of 2020 which was dismissed for non-prosecution.

2.Being satisfied with the reasons stated in the affidavit filed in support of the petition, the dismissal order dated 06.03.2020 passed in C.R.P(MD)No. 147 of 2020 is set aside and C.R.P (MD)No. 147 of 2020 is restored to file.

4.This petition is ordered accordingly.



5.Registry is directed to post the C.R.P.(MD).No. 147 of 2020 for hearing on 15.04.2021.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

To

The Sub Court, Sivakasi.

Copy to:

The Section Officer,
Judicial Section,
Madurai Bench of Madras High Court, Madurai.

ORDER DATED : 17/03/2021

=====

ORDER

=====

CMP(MD) . No.1444 of 2021
in
CRP(MD)No.147 of 2020

Giving direction and etc.
as stated within.

mj (CO)
TR(26.03.2021) 2P 3C